

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

TYRONE MAURICE CHAMBERS,

Defendant.

**DECISION AND ORDER**  
07-CR-58S

1. On July 21, 2008, the Honorable Hugh B. Scott, United States Magistrate Judge, filed a Report and Recommendation (Docket No. 34) recommending that Defendants' omnibus motion requesting suppression of evidence (Docket No. 6) be denied in part and granted in part.

2. On August 12, 2008, Defendant Tyrone Maurice Chambers filed timely Objections to that portion of Judge Scott's Report and Recommendation that recommends denial of his motion in accordance with 28 U.S.C. § 636(b)(1)(C) and Local Rule 72.3(a)(3). (Docket No. 36.) The Government filed objections to Judge Scott's recommendation that Defendant's motion be granted in part on August 26, 2008. (Docket No. 39.) This Court took the objections under advisement without oral argument.

3. This Court has thoroughly reviewed Judge Scott's Report and Recommendation, the Objections thereto, and the applicable law. Upon due consideration, this Court finds no legal or factual error in Judge Scott's Report and Recommendation and will accept Judge Scott's recommendation that Defendant's motion seeking suppression of his oral statements be granted, and that his motion seeking suppression of items seized during the searches, such as the keys and firearm at issue, be denied. Accordingly, the

Objections are denied and this Court will accept Judge Scott's Report and Recommendation in its entirety.

IT HEREBY IS ORDERED, that this Court accepts Judge Scott's July 21, 2008 Report and Recommendation (Docket No. 34) in its entirety, including the authorities cited and the reasons given therein.

FURTHER, that Defendant's Objections (Docket No. 36) are DENIED.

FURTHER, that the Government's Objections (Docket No. 39) are DENIED.

FURTHER, that Defendant's Omnibus motion seeking suppression of evidence (Docket No. 6) is DENIED in part and GRANTED in part consistent with Judge Scott's Report and Recommendation.

SO ORDERED.

Dated: October 8, 2008  
Buffalo, New York

/s/William M. Skretny  
WILLIAM M. SKRETNY  
United States District Judge